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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/240,048	01/29/1999	JOHN PATRICK AINSWORTH	TREI.PAU.03	6852
47022	7590	07/13/2006		
THE LAW OFFICE OF RICHARD W. JAMES 25 CHURCHILL ROAD CHURCHILL, PA 15235			EXAMINER ORTIZ, BELIX M	
			ART UNIT	PAPER NUMBER
			2164	

DATE MAILED: 07/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/240,048

Applicant(s)

AINSWORTH ET AL.

Examiner

Belix M. Ortiz

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,5 and 23-70 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-5, 23-70 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1, 4-5, 23-70 are rejected under 35 U.S.C. 103(a) (Eff. Filing date of application: 1/24/1999) as being unpatentable over Mukherjee (U.S. patent 6,314,415) (Eff filing date of application: 11/4/1998) in view of Wang et al (U.S. patent 6,965,812) (Eff. Filing date of cont application: 9/22/1994).

As to claims 1, 41, and 70, Mukherjee teaches a method for dynamically generating a user interface for an application program (see abstract), comprising:

selecting and retrieving, in response to the request, at least one dynamic rule from a plurality of rules (see col. 5, lines 35-40) stored in one or more databases (see col. 5, lines 1-5), wherein the rule comprises at least one variable parameter representing information pertaining to a function of the user interface; determining a value of the variable parameter (see col. 15, lines 49-53);

executing the dynamic rule to select and retrieve data from the one or more databases based on the value; and generating the user interface based on the data (see col. 5, lines 35-45).

Mukherjee does not teach receiving a request to control at least one of a camera and a camera enabled device.

Wang et al. teaches speech interface for an automated endoscopic system (see abstract), in which he teaches receiving a request to control at least one of a camera and a camera enabled device (see figure 1; column 1, lines 15-21; and column 6, lines 14-20).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Mukherjee by the teaching of Wang et al., because receiving a request to control at least one of a camera and a camera enabled device, would enable the method because, “The camera is coupled to a monitor that displays the image of the patient”, (see Wang et al., column 1, lines 15-21).

As to claims 4, 5, 34, 35, 38, 39, 42, 43, 55, 56, 59, 60, Mukherjee as modified teaches the claimed invention of rules comprising SQL (structured query language) statements as described in (see Mukherjee, col. 5, lines 23-25).

As to claims 23-28, 30, 31, 44-49, 51, 52, Mukherjee as modified teaches variable parameter representing identifier as described in (Mukherjee, col. 15, lines 40-55), wherein uifield is a identifier. It is inherent that identifier can be group id, user id, node id or location id.

As to claims 29, 33, 50, 54, Mukherjee as modified teaches the claimed invention of compound statement as described in (Mukherjee, col. 15, lines 30-35).

As to claims 32 and 53, Mukherjee teaches a method for dynamically generating a user interface for an application program (see abstract), comprising:

selecting and retrieving at least one dynamic rule from a plurality of rules (see col. 5, lines 35-40) stored in one or more databases (see col. 5, lines 1-5), wherein the rule comprises at least one variable parameter representing information pertaining to a function of the user interface (see col. 15, lines 49-53);

executing the dynamic rule to select and retrieve data from the one or more databases based on the value; and generating the user interface based on the data (see col. 5, lines 35-45).

Mukherjee does not teach the function comprising access to a medical device.

Wang et al. teaches speech interface for an automated endoscopic system (see abstract), in which he teaches the function comprising access to a medical device (see figure 1).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Mukherjee by the teaching of Wang et al., because the function comprising access to a medical device, would enable the method because, "The camera is coupled to a monitor that displays the image of the patient", (see Wang et al., column 1, lines 15-21).

As to claims 36 and 57, Mukherjee teaches a method for defining a routine for generating a user interface (see abstract), comprising:

examining a file to identify one or more data elements (see col. 15, lines 40-55);

generating one or more rules for generating a data structure in a database based on the data elements (see col. 5, lines 35-40);

executing the one or more rules to create the data structure in the database (see col. 5, lines 35-45);

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storing the data elements in the data structure (see col. 5, lines 1-5);

defining a sequence presentation for displaying the data elements (see abstract), and

storing the sequence presentation in the database (see col. 7, lines 2-4).

Mukherjee does not teach the sequence presentation comprising a medical image and at least one field to receive input associated with the medical image.

Wang et al. teaches speech interface for an automated endoscopic system (see abstract), in which he teaches the sequence presentation comprising a medical image and at

least one field to receive input associated with the medical image (see figure 1; col. 1, lines 15-21; and col. 6, lines 14-20).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Mukherjee by the teaching of Wang et al., because the sequence presentation comprising a medical image and at least one field to receive input associated with the medical image, would enable the method because, “The camera is coupled to a monitor that displays the image of the patient”, (see Wang et al., column 1, lines 15-21).

As to claims 37, 40, 58, 61, Mukherjee as modified teaches claimed invention of displaying HTML components as described in (Mukherjee, col. 6, lines 55-col 7, lines 5).

As to claims 62 and 66, Mukherjee as modified teaches wherein the control comprises capturing an image (see Wang et al., column 1, lines 15-21 and col. 6, lines 14-20).

As to claims 63 and 67, Mukherjee as modified teaches wherein the control comprises capturing video image (see Wang et al., figure 1).

As to claims 64 and 68, Mukherjee as modified teaches wherein the control is remote (see Wang et al., figure 1).

As to claims 65 and 69, Mukherjee as modified teaches wherein the user interface enables the control of the at least one of the camera and the camera enabled device if access right allow the control (see Wang et al., figure 1; column 1, lines 15-21; col. 6, lines 14-20; and col. 7, lines 26-28).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Belix M. Ortiz whose telephone number is 571-272-4081. The examiner can normally be reached on moday-friday 9am-5pm.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

bmo

July 7, 2006



CHARLES RONES
SUPERVISORY PATENT EXAMINER